UNITED STATES OF AMERICA DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

NO. 04-10129 RCL

MARK A. MCARLDE

MOTION TO IMPOUND SENTENCING MEMORANDUM

Now comes the defendant, Mark A. McArdle, and moves to file his sentencing memorandum under seal, with a copy provided to the government and the Probation Department.

In support thereof, the defendant states that his sentencing memorandum contains information that is highly personal and should not be a matter of public record.

MARK A. MCARDLE By his attorneys:

CARNEY & BASSIL

/s/ Janice Bassil BBO #033100 20 Park Plaza, Suite 1405 Boston, MA 02116 (617) 338-5566

Certificate of Service

I, Janice Bassil, state that I have sent a copy of the within Motion to AUSA Michael Pelgro and Nancy Rue by electronically filing said motion this 13th day of February, 2007. Signed under the pains and penalties of perjury.

/s/ Janice Bassil